UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/512,621	02/25/2000	Harlan Sexton	50277-258	7347

7590   07/16/2003

ATTEN: STEPHEN C. CARLSON
DITTTHAVONG & CARLSON, P.C.
10507 BRADDOCK RD
SUITE A
FAIRFAX, VA   22032

EXAMINER
HO, THE T

ART UNIT	PAPER NUMBER
2126	8

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/512,621	SEXTON ET AL.
	Examiner	Art Unit
	The Thanh Ho	2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 February 2000</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-18* is/are rejected.

7)☒ Claim(s) *5 and 14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other:

DETAILED ACTION

1. This action is in response to the application filed 02/25/2000.

2. Claims 1-18 have been examined and are pending in the application.

Claim Objections

3. Claims 5 and 14 are objected to because of the following informalities: they

should be read, "...includes one or more..." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by

Biliris U.S Patent No. 5,590,327.

As to claim 1, Biliris teaches a run-time environment (determined at rune time,

line 16 column 4), accessing a definition of an object in terms of a composition of a

primitive type (C++ definition, lines 30-50, column 4); accessing a platform-specific

description of layout parameters ([MAX], line 32 column 4) of the primitive type;

generating a layout for the object in a high-order language (C++ compiler to generate

code that will invoke the appropriate function, lines 61-63 column 1).

As to claim 2, Biliris further discloses an accessor accessing a slot in the object holding a value for one primitive type (vtbl pointers to access entries in the virtual function table, line 9-10 column 9).

As to claim 3, Biliris further discloses fetching a value for one primitive type (39 to 32, Fig. 3).

As to claim 4, Biliris further discloses storing a value for one primitive type (32 to 3, Fig. 3).

As to claim 5, Biliris further discloses the primitive type includes reference (pointers, Fig. 3).

As to claim 6, Biliris further discloses the primitive reference type is a native machine pointer type (memory pointers, lines 13-31 column 2).

As to claim 7, Biliris further discloses the layout parameters include a size and an alignment of the primitive type (lines 11-15 column 11).

As to claim 8, note the discussion of claim 1 above. Biliris further discloses the platform-specific descriptions corresponding to the incompatible platforms (Fig. 3).

As to claim 9, Biliris further discloses the slots are located in the layouts for the incompatible platforms at same offsets (lines 52-59 column 6 and lines 17-30 column 7).

As to claims 10-18, note the discussions of claims 1-9 above, respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-

5540. A voice mail service is also available for this number. The examiner can

normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238

- OFFICAL faxes must be signed and sent to (703) 746 – 7239

- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

TTH
July 11, 2003

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100